

**2st Quarter Report; EPA Region 9  
Jan 1, 2012 – Mar 31, 2012  
HDOA Pesticides Accomplishments**

**ADMINISTRATIVE:**

**Personnel**

- Steven Ogata was selected as the Oahu Enforcement Supervisor and will start this position on April 16, 2012. Mr. Ogata previously served as the Oahu Enforcement Supervisor and moved to the Pesticide Education/Certification section due to a Reduction-In-Force (RIF) initiative in December 2009.
- A recruitment announcement for the Chemist II position was made during the quarter. The Personnel department is currently taking applications for this position.
- There will be a vacancy in the Pesticide Education/Certification department with the departure of Mr. Ogata.
- Plant Division Administrator Dr. Lyle Wong has announced his retirement effective 4/30/2012.
- In March, enforcement inspectors completed their annual medical monitoring and respirator fit test. Inspectors were from Hawaii Island, Kauai and Maui.

**Training**

Program staff did not attend any out of state training activities during the 2<sup>nd</sup> quarter.

**Revising HDOA Pesticide Branch SOP**

Pesticide Branch staff met on March 9, 2012 to continue work on SOP's. Revisions are nearly complete.

**QAPP**

We are still in the revision process.

**Poison Prevention Services**

No activity this quarter. HDOA Pesticides Branch plans to post Information For Bid (IFB) request to solicit vendors to furnish pesticide poisoning prevention services for households next quarter. Anticipate selection of vendor sometime in June 2012. The term of the contract shall be for 18 months with extension for additional 18 month period upon mutual agreement.

**PROGRAM HIGHLIGHTS:**

**Registration/Licensing**

During this quarter, the registration/licensing staff processed a total of 422 pesticide products; issued new licenses to 284 pesticide products while another 138 product licenses were renewed.

**SLNs**

HI-020005      Goal 2XL Herbicide (62719-424) for use on eucalyptus plantings for post-emergence weed control. Renewal.

HI-020010      Goal 2XL Herbicide (62719-424) for use on banana plantings for pre- and post-emergence weed control. Renewal

HI-120001      HBT-G4U200 with Garlon 4 Ultra (Unregistered) for use to control miconia and strawberry guava in forested areas. New

### *Section 18*

EPA granted recertification of Section 18 Emergency Exemption for use of HopGuard (unregistered pesticide) in honeybee colonies to control Varroa mites. This recertification allows application inside the beehive as well as application to packaged bees prior to installation in colonies. This Section 18 expires on December 31, 2012.

### *Experimental Use Permits*

Only 1 state EUP was issued for this quarter. This EUP is for use of the product TREE-age (100-1309-74578) as a stem injection on Acacia koa to evaluate effectiveness in reducing damage to seeds caused by haole koa seed weevil and koa seed worm. These trials will take place in small native koa tree orchards in Maunawili and Laie, maintained by HARC.

### **Case Preparation/Enforcement**

A total of 108 inspections were conducted during this period. The following table indicates the type of inspections conducted by our 5 inspectors.

Type of Inspections:	AG	C-AG	U/S	C-U/S	EUP	PEI	MSI	IMP	CAR	RUP-D
Total: 108	17*	16	21	16	1	1	3	1	27	5

\*Includes WPS-T1 and WPS-T-2 inspections.

One case of note:

- Green Dragon Roach Kill Bait Product. EPA Reg. No 84708-1. Unlicensed pesticide product found advertised for sale in Hawaii. Marketplace Surveillance Investigation conducted. Completed jacket forwarded to EPA Region 9 for action.

### **Lao Farmer concerns:**

In December 2011, we were alerted to a news article that appeared in a local publication by the Hawaii reporter. The article entitled Special Investigation: Laotian Workers Suffer Health and Financial Problems on Oahu Farms. The article stated that a farm worker was sickened from pesticide exposure and burning of pesticide containers without training or protection.

A letter from immigration attorneys Hanuz & Vicenty was received by the Department of Agriculture citing a list of 11 farms of having alleged violations pertaining to pesticides misuse and Worker Protection Standard violations. During this quarter, pesticide inspector Steve Russo followed up on and has completed inspections on 8 of the 11 listed farms. The paid services of a Laotian translator were used. There were two farms listed that we were not able to identify or locate. The inspection jackets are now with our Case Developer for review.

### **Waimea Canyon Air Quality Meetings**

Background information: A study to monitor the air quality on the Island of Kauai was started as a result of numerous odor complaints from Waimea Canyon School teachers back in 2004. The Hawaii Department of Agriculture funds parts of the study related to pesticides. The County provided funds to characterize odors from a plant known as stinkweed, *Cleome gynandra*.

Jan 27, 2012 - Meeting of Technical/Advisory Committee on Kauai. The University of Hawaii research committee has completed the extraction and chemical analyses of the *large* volume air sampling samples. They have also finished data calculations and are in the process to interpret the data and compare them with the data cited in referenced literature. The last 4-month *passive* air sampling is still in the process (out in the field). Those will be collected in late May and then analyze. The last passive air

sampling results are to be included in the final report. This will allow coverage of a whole year of passive air sampling and make the study much more credible.

Presentation to the general community will be scheduled once the results of the air quality findings are finalized and assembled for presentation to the Mayor of Kauai and other dignitaries.

#### **Applicator Certification and Training Workplan**

During this period, a total of 13 statewide examination sessions were offered. One hundred and thirty-nine (139) examinees took 143 tests in Private applicator or Commercial applicator categories. Out of these examinations, 36 individuals became newly certified applicators and another 45 individuals were re-certified in their appropriate categories for their work profession. One individual took the RUP dealers' representative test.

Forty-eight (48) certified applicators accumulated 192.5 recertification credits by taking quizzes. Questions were derived from the University of Hawaii Cooperative Extension Service's pesticide newsletter.

Seventeen (17) non-enforcement consultative visits were conducted with groups such as; Protea of Hawaii, CN farms, Herbco, BEI, Canamy farms, Waimea Irrigation System, Kaneohe Farm Supply, Kula Hospital grounds maintenance.

#### **Endangered Species Protection Workplan:**

Environmental Health Specialist Daisuke Inoyama is conducting research on the Endangered Species Protection Program for a presentation to the HDOA Pesticides staff at its annual training event scheduled in November 2012.

#### **Worker Safety Program Workplan:**

Four (4) Worker Protection Standard trainings were provided at these farms on Oahu; Samson Farm, Poamoho Experiment Station, Kawamoto Orchid Nursery and Kapolei Nursery. Eleven (11) individuals received training. In response to the Laotian farmer pesticide exposure allegations, a talk on the responsibilities of an employer and WPS responsibilities was held with Laotian/Chinese farmers in the Waianae area. Approximately 11 attendees. Other areas are being targeted to hold similar talks with Laotian/Chinese farmers.

Pesticide safety trainings were provided to Waimea farmers on Hawaii Island and individuals on Oahu attending an event hosted by the University of Hawaii, College of Tropical Agriculture & Human Resource's Risk Management School. Approximately 99 attendees.

#### **Chemical Analysis Laboratory (CAL)**

A total of 37 samples; 45 tests for 5 enforcement cases were done this quarter. The current MOU between the Department of Health and Department of Agriculture is being revised. No major changes except for the adjustment in charges to the square foot usage by DOA's Chemical Analysis Laboratory and electricity cost increases.

#### **Water Quality Protection Program Work plan:**

*New Actives(s) Ingredients:* 7 new active ingredients submitted to the Branch this quarter. Preliminary reviews for 3 were complete and determined do not need full groundwater review (ok to process). The other 4 are still being reviewed, requiring analysis utilizing the Branch's leaching model (CLERS - "Comprehensive Leaching Risk Assessment System")

1. Cyprodinil (Syngenta) - does not require full groundwater review
2. Thiamethoxam (Syngenta) - does not require full groundwater review.
3. Isopropyl myristate (Bayer Animal Health) - does not require full groundwater review
4. Mandipropamid (Syngenta) - still under review
5. Furfural (Agriguard) - still under review
6. Penthiopyrad (Dupont) - still under review.
7. Pyroxasulfone (Valent) - still under review.

**National Pollutant Discharge Elimination System (NPDES) Issues.**

As of November 1, 2011, point source discharges from the applications of pesticides to waters of the state require National Pollutant Discharge Elimination System (NPDES) Permits, as required by the Clean Water Act. These discharges include applications of pesticides to, over, or near waters of the state. The Hawaii Department of Health (DOH), Clean Water Branch (CWB) is responsible for implementation of the NPDES pesticides permit program in the State of Hawaii.

Currently, applications to, over, or near waters of the state without a NPDES permit would be in violation of the Clean Water Act. However, prior to issuance of any NPDES permit for pesticide discharge, CWB must make revisions to the Hawaii Administrative Rules (HAR), Chapter 11-54 (Water Quality Standards) and 11-55 (Water Pollution Control) and the Water Quality Standard. Please contact the Clean Water Branch at (808) 586-4309 if you have more specific questions on Hawaii's NPDES permit for pesticide discharges. The CWB is currently revising HAR, Chapters 11-54 and 11-55, following the DOH Administrative Rulemaking Process.